

SENATE BILL 721

By Fowler

AN ACT to amend Tennessee Code Annotated, Title 68 and Title 71, relative to TennCare enrollment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-110, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b)(1) To the extent consistent with federal law and the TennCare Waiver, an application for TennCare enrollment shall include the following:

- (A) Place of current employment;
- (B) Name of employer and name of the personnel officer, if any;
- (C) Employer's address; and
- (D) Length of time at current employment.

(2) An application for TennCare enrollment shall require the applicant to provide the following written documents:

- (A) Two (2) forms of proof of salary, to include a copy of a paycheck and a copy of the applicant's federal income tax return from the prior year;
- (B) A proof of residency, such as copy of a current lease, mortgage or utility payment;

(C) A copy of a photo identification of any applicant sixteen (16) years of age or older; provided, TennCare shall request a photo identification of all applicants, but shall not deny eligibility to a person under sixteen (16) who does not have a photo identification;

(D) A statement from the current employer, if any, stating whether insurance is offered to employees and, if so, outlining the type of insurance and cost to employees; and

(E) A ten dollar (\$10.00) fee from non-Medicaid eligible applicants.

(3) An application for TennCare enrollment as an uninsurable shall also include the following written documents:

(A) A physician's statement regarding the applicant's medical condition; and

(B) A copy of an insurance application, a letter of rejection from the insurance company's underwriting department and a list of conditions classified as uninsurable by the rejecting insurance company.

SECTION 2. Tennessee Code Annotated, Section 71-5-110, is amended by adding the following language as an appropriately designated subsection:

(d) No insurance company providing health insurance coverage in this state that rejects an insurance applicant as uninsurable based upon a preexisting condition shall refuse to timely provide the applicant with information necessary for the person to apply for TennCare coverage under this act.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon July 1, 2001, the public welfare requiring it.

